NEW YORK HERKINGSASYRDAY, FREEDAN IS HETS-THIFLE SHEET

# THE SCAFFOLD.

Execution of John Gaffney for the Murder of Patrick Fahey in Buffalo.

Sketch of Gaffney's Career and Crime-Mis Conduct During His Incarceration-Pretending Insanity-The Physicians' Test.

SCENES AT THE GALLOWS.

BUFFALO, N. Y., Feb. 14, 1873. Again has the majesty of the law in all its errors been vindicated in this city, and the soul of man whose hands were imbued with the blood of is fellow man has been hurried into the presence f its offended Maker.

To-day John Garney, the murderer of Patrick Pahey, was, in accordance with the sentence passed upon him, taken from his place of confinement in the old jall out into an angle of the yard nd hanged by the neck until he was dead. From the jurisdiction of the courts on earth a case has been transferred to the bar of judgment on high,

JOHN GAPPNEY, the murderer, was really a child of crime. He was born in what is known as "the infected district" in Buffalo, and lived there all his life, among the worst and the most degraded classes. He was born in August, 1844, and was, therefore, in his twenty-ninth year, he receiving no early training except such as criminals and desperadoes could impart, except learning to read and write at one of the public schools and during a term at a mis sion school of the Young Men's Christian Association. For some years past he was looked upon as a man of some influence. He was very neat in his dress, although inclined to be flashy, and may be said to have been a really handsome man. With dark hair, large eyes and a neatly trimmed mustache, he cut quite a dash at several of the lashionable watering places, and was apparently a favored guest in many circles.

PATRICK FAHEY,
the murdered man, was about twenty-three years of age, and was one of those who haunted "the in-fected district," But little is known of him, other than the fact that he was almost continually under police surveillance for some crime or violation of law. He had but recently been discharged after stabbing at Fort Erie.

The story of Garfney's crime, with the details of

als trial and the efforts made to secure his release, have been given at length in the HERALD, so that a brief summary of the facts in this case will now uffice. Gaffney, with a party of young men like himself, early in the morning of May 7, 1872, were drinking and playing at cards difficulty arose between him and one Patrick From his own statement it appears that during the melée his brother-in-law, John Farrell (who is now serving a term of five years on conviction for burglary), handed him a revolver. Gast-ney pointed it at Fahey and fired, but he missed m. Fahey then ran toward the door: Gaffney followed and fired two shots more, one of which ook effect in the cheek and the other in the breast. Fahey ran up the street a few yards and then nt when the police arrived were arrested, and m the testimony of one McQueeney the guilt was fastened on Gaifney. He was sentenced to be executed on the 27th day of September, 1872. His counsel set to work and practised all the devices A bill of exceptions was prepared and motion for a new trial argued, but the motion was denied. On the 25th of September, two days before the day set for his execution, a respite for three weeks was ought before the Court of Appeals, but on the 3d of December the decision of the lower Court was affirmed, and on the 14th of December Gaffney was

Judge Verplanck pronounced the sentence and of February, 1873. A ter Gaffney had been returned to the jail it was discovered that the 2d of bruary fell on Sunday; that the error was made by the Judge in referring to a calendar for 1872. The Court would, in a few minutes, have adjourned court room and the error was corrected by naming the 7th of February instead of the 2d. Had the Court adjourned before the error was discovered a very nice point of law would be involved, as Sunday is considered a dies non.

THE ONLY HOPE LEFT was that the Governor might be induced to commute the sentence to imprisonment for life. Petitions were signed by members of the Common Council and a large number of the citizens of Erie county and forwarded to General Dix, appealing to him to exercise his prerogative and save Gaffaey from the gallows. The Governor, as will be re-membered, was obdurate and refused most peremptorily to grant the commutation. As soon as it was known that there was no hope Gaifney stormed in his cell and raved like a maniac. The officials became alarmed. Gaffney was, as the result has shown, feigning insanity, and doing it so physicians in Buffalo, and of course an insane man could not, under the law, be executed.

THE INSANITY DODGE.

A jury of twelve electors was summoned by the Sheriff to decide on the sanity or insanity of the prisoner. On the evening of the day previous to the day set down for the execution Governor Dix sent a respite of one week in answer to a request from the physicians, in order that a fuller examination might be made into the mental condition of the prisoner. Dr. Gray, of the State Insane Asylum at Utica, and Dr. Vanderpoel, Health Officer of the Port of New York, were summoned here, and on Sunday last they commenced their exami-nation, which satisfied them that Gaffney was

and on Sunday last they commenced their examination, which satisfied them that Gaffey was feigning, and they so testified. It may be seen from Dr. Vanderpeel's testimony that the examination by Dr. Cardy annihilation of the seen in the second that the examination by Dr. Cardy annihilation of the physicial condition. They found no evidence of dispasses in his physicial condition. As to his emotional condition, the manifestations of which were than a condition, the manifestations of which were than the condition, the manifestations of which were perfect in expression; they had not the dry may glawy look of the acute mania, but the dry may glawy look of the acute mania, but the dry may glawy look of the acute mania, but the dry may glawy look of the acute mania, but the dry may glawy look of the acute mania, but the dry may glawy look of the acute mania, but the dry may glawy look of the acute mania, but the dry may glawy look of the acute mania, but the mount it was submitted to the light, and its action was normal. Instead of the intendences of gaze of the man who is insane—who is determined to impress himself upon you, it would be impossible the mouent it was submitted to the light, and its action was normal. Instead of the intendences of gaze of the man who is insane—who is determined to impress himself upon the condition, that of dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued, "he had not that intatention had in dementia," Dr. Vanderpoel continued

Inte, and when informed of the doctors' opinion and decision he suddenly dropped the insanity and spoke like a rational being. He had previously been prepared for death by the Rev. Father Malloy; been prepared for death by the Rev. Father Malloy; but at the commencement of his ravings he smashed the cracifix which had been given him, and he biasphemed so much and used such terrible ouths and imprecations that nothing could be done for him. When he found that there was no bossible hope for him he became recenciled to his fate and sought the consolation of religion.

Last night Gaffney did not sleep any, but tossed about on his bed in a restless manner. At about hall-past one o'clock this morning he was visited by the Jailor, and on being spoken to by him he got up and entered into conversation with him. He seemed to be anxious to talk, and in the course of his remarks he said it seemed hard for him to meet such a fate—to die so young and leave his wife and little children to endure the disgrace he should bring upon them. He prayed that he might die a natural seath for their sake. He was watched by two keepers through the night, but he was quiet and seemed to be more thoughtful and resigned. The last sleep enjoyed was on Wednesday, after having been very bitter in his remarks toward his friends, who, he said, had descrited him. On the same day his wife and children visited him, and he was calm and prepared tor the worst. He gave them all good advice and made his little boy promise him that he would never drink any intoxicating hquor or play cards or swear. He told his wife to lead a Christian life, that she might meet him in heaven. At seven o'clock this morning Gaffney was visited by Father Malloy, who remained with him some time, advising him. At eight o'clock he partook of a slight breakfast, consisting of tea, toast and poached eggs. He had but little appetite and did not appear to relish it. About eight o'clock Gaffney's wife weeping and clinging to him to the last, but he remained firm, and after.

BIDDING

mained firm, and after billing and after billing and them at L "Goodby," he said to his wife, "Goodby, Lizzie, I hope we shall meet in heaven." Gaffney's brother-in-law, Bernard Passett, and Ted Sweeney, in whose Bernard Fassett, and Ted Sweeney, in whose saloon the murder was committed, were also admitted to the corridor and allowed to converse with him. At ten o'clock Gaffaey's relatives left the jail, his wife sobbing hysterically as the heavy iron door closed upon them. As they were passing out of the corridor Gaffaey, brother-in-law turned, and, shaking his fist at Hill, the witness who testified against Gaffaey in regard to his insanity, said, "You treacherous son of a b—h!" As the friends left the jail Rev. Fathers Malloy and Lanigan entered, and, with two Sisters of Charity, proceeded to Gaffaey's cell. He was taken from the cell to a room used for imprisoned debtors, and there the last solemn rites of the Church were administered to the prisoner. The priests then engaged in religious conversation with him and endeavored to have him fix his mind upon his approaching doom.

priests then engaged in religious conversation with him and endeavored to nave him fix his mind upon his approaching doom.

At an early hour this morning crowds of hard looking fellows began to gather about the doors of the gin mills in the vicinity of the jail, and by ten o'clock several hundreds of these morbidly curious persons of all ages had filled up the streets on the north of the jail, and were crowding about on the walk fronting the Grosvenor Library building. Some climbed upon the houses in the neighborhood and clung to chimneys, striving to get a sight of the scaffold. It was all in vain, however, for the yard was completely covered with a canvas awning, and every crack and crevice was closed. Still the crowd increased as the final hour drew near, and it was with great difficulty that the police could keep the side walks leading to the jail clear. Now and then their voices penetrated the jail and reached the doomed man's ears. He paid no attention to this, but continued his devotion.

At a quarter before eleven A. M. the witnesses and others, who were in the jail yard, were summoned to the Sheriff's office and the roil was called. The twelve witnesses answered to their names, and the physicians who had been called were in readiness. At a quarter after eleven the procession of witnesses and spectators filed through the door into the jail yard and took their positions.

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THE SCAFFOLD

was placed against the north wall of the jail yard, which is an enclosure capable of admitting about one hundred persons. The scaffold itself is the same on which Morrisey suffered death. It consisted of two uprights and a crossbeam, in the centre of which there was a hook, over which one end of the rope was made last at the proper time. The platform on which the condemned man stood was about six leet square, and was raised from the ground about eight feet. The trap was held in place by a bolt, which moved on rollers, and the executioner, being concealed, needed only to push in on a lever, when the drop fell and was held back by a spring, giving a dead fall of about seven feet. Thus, you see, the gallows was as simple and effective an instrument of the kind as could well be invented.

"There he comes!" At a quarter before twelve o'clock the inner door of the jail swung back on its hinges, and

december the decision of the lower Court was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was med, and on the 14th of December Gaffney was condition to the scaffold and that a fearful struggle might be expected, but when he walked boldly forth, without any hesitation whatever; it was believed that he would "die game." While proceeding to the scaffold the elergymen kept repeating passages of the service, to which Gaffney looked up, and, in a low tone of voice, repeated some words after father Mailoy, saying, "I beg pardon for the crime for which I suffer. I ask you all to forgive me. I forgive all persons and I ask their forgiveness." After having finished what the priest said for him he turned to the reverend father and said, "I would like to say

voice, repeated some words after Father Mailoy, saying, "I beg pardon for the crime for which I suifer. I ask you all to forgive me. I forgive all persons and I ask their lorgiveness." After having finished what the priest said for him he turned to the reverend father and said, "I would like to say something more to them." The priests tried to dissande him and wanted him to fix his thoughts on God alone, but he persisted. "Father, let me speak to them; it can do no harm. Do let me tell them. I will only tell them the truth. I must speak to them before I die." Then he turned to the audience, and in a clear voice, betraying no emotion, he said:—

"Gentlemen, I will tell you the truth. I want you to know all about the orime for which I am to suffer this temominous death. You may believe me, for I can only speak the truth now."

He then gave an account of the crime substantially the same as that which was published in the HERALD last Friday. He said that when he was drunk and crazy his brother-in-law, Farrell, who's sat beside him when the quarrel took place between him and Fakey, handed him a revolver and he used it, not knowing what he did. He said his friend had kept his mouth closed when he wanted to tell the jury all about how the thing happened. If he had been allowed to tell his story he believed he would not stand in the place where he stood to-day. He said, "Of course I tried to make you think I was insane; I did so, jor I wanted to live so that I could see my children once in a while. I wouldn't care if I had to spend all my days in a dungeon. I love my children as well as any man loves children and I grieve to think that I am to bring so great a disgrace on them this day. Gentlemen, I have told you the truth. I hope and pray to God that you will believe me and forgive and to spend all my days in a dungeon. I love my children he ceased speaking his limbs were pinoned and the black cap was drawn down over his eyes. It was raised again, however, for a moment, to let him inoke hit che lace of one of the pric

STOKES--HIS FATE.

The Sword of Justice Hangs by a Single Hair.

THE BILL OF EXCEPTIONS DENIED.

Judge Boardman's Decision in Full-All the Objections Reviewed and Disposed of Seriatim.

WHAT WILL JUDGE DAVIS DO?

Stokes Interviewed in the Tombs.

There have been a saturnalia of murders of late, which, in their separate degrees as to the slavers and their victims, might be classified as belonging leading to the same inevitable result—trial, con-viction and sentence and the subsequent appeal for mercy. Too late the criminal, after dealing the murderous blow, or. with satal precision, aiming of revenge, insane jealousy or drunken frenzy-learns that the law which he derided and deemed impotent to avenge is a Nemesis he cannot escape from or evade. Too late he learns that the days of that hanging is not altogether played out; and then comes the employment of all the machinery of the law, its quips and quibbles, its delays and intrica-cies and the final supplication for mercy to the Executive, and the reaction from the murderer's spirit that lies in wait for vengeance and the craven spirit that entreats for pardon is complete. This is the terrible reaction which results from imprisonment within bolts and bars, and the degraded crowd that hoot him from the moment ne leaves his prison till he is returned to it, and the court room of curious, staring faces, and the Judge and the jury, his counsel and his weeping follows the awakening from the crime to its terrible consequences. All this is, no doubt, more apmanly courage than the few fleeting moments he stands upon the gallows and which intervene between him and eternity. Gaifney, executed at Buffalo yesterday, passed through this preliminary ordeal, and yet he dreaded more than mortal mind can tell the moment that was to end all retrospection of an unhappy past, and declared that he would for life though it were to be spent from his youth upward in a dungeon. This is, no doubt, the feeling with some of the condemned men now under sentence in the Tombs. How their appeals to law and to the Executive may be sustained have yet to be determined. In the case of Stokes. as will be seen from Judge Boardman's decision, the bill of exceptions is denied. This, however leaves the question before Judge Davis, of the Should Judge Davis deny the writ, then it may be concluded that any further appeal to the courts will be useless, and, as in the case of Foster, the Executive elemency must be appealed to as a

At twelve o'clock vesterday Judge Ingraham tered the Court of Oyer and Terminer and took a seat on the bench. Soon after Mr. Dos Passos, one of Stokes' counsel, followed, and addressing Judge ingraham, said, "I understood you would announce Judge Boardman's decision in your private room." Judge Ingraham-No; I will in the Court where the trial took place.

Then, slowly untying a large parcel of papers, he said, "Judge Boardman has denied the motion for

This caused a stir in Court, but it seemed to have been expected. Scannell leaned back in his chair, stretched out his legs, stroked his red beard, and smiled contemptuously towards the Bench and around towards the audience.

Mr. Dos Passos moved that the motion for a new trial be made part of the record of the Court. The following is the formal decision of Judge Boardman in the application of Edward S. Stokes, through his counsel, Mr. John R. Dos Passos for a writ of error in the bill of exceptions taken by Lyman Tremain to his rulings on the second trial

is adverse to the prisoner, caused the most in-tense excitement throughout the city yesterday. It was looked forward to with general interest, as it was generally supposed that Judge Davis' decision on the motion for a stay of proceedings would greatly depend upon the action of Judge Boardman

it was generally supposed that Judge Davis' decision on the motion for a stay of proceedings would greatly depend upon the action of Judge Boardman on the bill of exceptions:—

Affidavits of jurors are not admissible to impeach their verdict. The same ruic, and for the same reason, applies to affidavits of others touching declarations of jurors while engaged upon the trial or after the rendition of their verdict (3 Gr. & Wat., on New Tr., 1428, &c., 1452, &c.; Chan vs. Smith, 5 Hill, 560; Thomas vs. Chapman, 45 Barb., 98; People vs. Hartung, 4 Park, 256-315; Wilson vs. People, 4 id., 619-632]. Such portions of the affidavits used upon this motion as are incompetent under these rules are rejected from consideration. Two grounds of objection are urged as to jurors—arst, that some of the jurors had formed and expressed decided opinions as to the case before they were sworn; second, that some of the jurors during the trial were guilty of such misconduct as should void their verdict. Upon the first of these points these jurors, upon their examination under challenge, declared they had formed and expressed such opinions, but at the same time asserted their belief that they could render an impartial verdict according to the evidence submitted to them on the trial, and that such opinions would not be trial, and that such opinions to the objections made on the trial act is unconstitutional. That is a question of law fully presented by the bill of exceptions in this case, and is available to the prisoner on writ of error. The affidavits here presented add nothing to the objections made on the trial to the competency of the jurors referred to. They simply tried to prove what was then fully admitted and the question in the end turns upon The constitutional. That is a question of law fully presented by the bill of exceptions in the window of a Broadway store, with reference to the number of chambe

the prisoner must be real and established. It is not sufficient that it may be imagined as possible. For in such case

FANCY COULD ALWAYS SUGGEST SUSPICIONS of wrong to set aside every verdet, however honest. But the affidavits of the jurors implicated, except Bolles, show that nothing was seen or done or said that in any respect influenced or molified their verdict or judgment respecting the facts proved on the trial. Such evidence readily overcomes any suspicion that may be justly excited by the unfortunate curiosity of the jurors. In the absence of injury to the prisoner an impropriety on the part of jurors will not invalidate their verdict. (Stevens vs. People, 19 New York, 540, 567-8. Willis vs. People, 5 Park, 621, 674. Aftirmed 32 New York, 716. People vs. Hartrang ante.) As to Mr. Bolles, not enough appears to excete any well founded suspicion of wrong or injury to the prisoner. What he read, whether he read, whether he read, whether he was influenced or not by what he read, or, if influenced, whether for or against the prisoner he was influenced or not by what he read, or, if influenced, whether for or against the prisoner he was influenced or not by what he read, or, if influenced, whether for or against the prisoner he was influenced or not by what he read, or, if influenced, whether for or against the prisoner he was influenced or not by what he read, or, if influenced, whether for or against the prisoner he was influenced or not by what he read, or, if influenced, whether for or against the prisoner he was influenced or not by what he read, or, if influenced, whether for or against the prisoner he was influenced or not by what he read, where he level. A gentleman was rather misery in his bablist, and was in the habit of keeping considerable sums of lakeville.

According to the representations of his neighbours of the decays the reviewed general or he remark to a friend on his return home that Graham would same the head of the remark to a friend on his return home that Graham whold same the counter

the trial. He did request one of his associates to make

A MINUTE OF THE SAME PACT,
and to call the attention of one or two gentlemen sitting near to the same fact. Such associate noted the absence so carefully as to be able to say that "testimony covering about three pages of the stenographer's minutes, as written out, were taken." All of the prisoner's counsel knew it and kept silent. What Coroner Young testified to in the prisoner's absence does not appear. Nor does it appear that any of the evidence so given was objectionable or objected to. It is not pretended that the prisoner was in fact prejudiced by the occurrence. It is not shown that

THE EVIDENCE OF YOUNG
was controverted by other evidence. In fact, it was not. His whole evidence might be stricken out of the case without harm to the prosecution or benefit to the prisoner. He knew nothing of the killing, and was simply called to prove the proceedings upon the inquest, and the identity of the pistol and other articles produced upon the trial. The identity of the pistol with that used by Stokes was concaded. It is insisted that such absence was an irregularity fatal to the trial. The most remarkable leature of

THE OBJECTION IS ITS BAD FAITH.

concessed. Its insisted that such absence was an irregularity fatal to the trial. The most remarkable leature of This objection is its bad partil. It is an effort on the part of the prisoner and his counsel to take advantage of their own wrong. It is the duty of the counselior to aid the Court in the just administration of the law. In violation of this duty counsel for the prisoner have permitted what they craim an irregularity to occur, and purposely omitted to call the attention of the Court to it, that it might be remedied or prevented, in the hope of availing themselves of it to overcome a possible adverse verdict. It is now offered as a reason for a new trial. It was necessary that the prisoner should be present during the trial. It was his right. The law gave it to him for his benefit. If he was deprived of that right it would be error. But if that right is given him, and he for a moment leaves the Court without its knowledge or the knowledge of the prosecution, for a temporary purpose, as in this case, it would seem that the substance of

substance of

THE LAW WOULD BE SACRIPIOED

to its shadow to hold it in error. Especially when
there is not the slightest evidence to believe or
even suspect that he was harmed by the proceedings had in his absence. Counsel will cure most
errors not jurisdictional. A prisoner may waive
irregularities as in the case of Beehe vs. the Peopic, 5 Hill, 32, where Nelson, C. J., says "it is not
or the prisoner to take advantage of the irregularity, as the induigence was granted on his application and for his benefit." So in People vs. Ratibon, 21 Weede, 512, the Court says "the prisoner
may even waive his trial at the hands of a lury on
the merits by pleading guilty. Having this power, the merits by pleading guilty. Having this power, no one will pretend that he cannot consent to anything less. A man cannot legally be tried as accessory to a felony till the principal be convicted. Such a trial is

Such a trial is CONTRABY TO ALL ANCIENT AND FUNDAMENTAL PRINCIPLES OF LAW, yet, says Coke, if he goes to trial without insisting upon the objection, he shail be holden to have waived it." These principles are approved of and deemed applicable to capital cases in Stephens vs. The People, 19 New York, 565:—"There can be no good reason why in such cases the Court should deny the existence or refuse the application of principles consonant to common sense and the ordinary course of justice. The public nave rights as well as the accused," &c. The question presented is not whether the prisoner was deprived of a substantial right. That cannot be claimed. But by his own voluntary act, with the knowledge and consent of his counsel and by his own fault he creates an irregularity, and now seeks to benefit thereby. To recognize such a principle would be A PREMIUM UPON WRONG-DOING, especially in a case where the prisoner has suffered no injury and has in no respect been prejudiced. Substantially and within the spirit of the law the prisoner was present during this trial. The absence of the Judge twice for about five minutes, while counsel for the prosecution was summing up to the jury, is also niged as an irregularity. No complaint is made that anything improper occurred during such absence, that anything objectionable was said or done, or that the prisoner was in any respect prejudiced thereby. Without conceding that such act was improper, irregular or

in any respect prejudiced thereby. Without conceding that such act was improper, irregular or dangerous, many of the considerations in reference to the absence of the prisoner are deemed pertinent. The prisoner and his counsel are presented to the prisoner and the priso and make no objection. The remarks of counsel were not addressed to the Court, nor was it essential to the orderly progress of the cause that the Judge should hear them. The Judge, though out of

hearing,
was within a few feet of the court room
and substantially controlling its proceedings.
There is nothing in the occurrence that wronged
the prisoner or benefited the prosecution (Baxter vs. The People, 3 Gilman (III.), 388). The
opening speech of counsel for the prosecution is
suggested as irregular and improper and a ground
for a new trial. A reading of that part set forth in
the affidavit furnishes but weak ground for the
suggestion. If remarks of counsel are objectionable
it would be well or counsel to make their objections at the time. The Court has responsibilities
enough without being called upon to object to the
line of argument which counsel may choose to induige in, unless it is
GBOSSLY OUT OF CHARACTER.
The opening remarks were not of that kind. It
would be asking too much to set aside a vertilct
and grant a new trial upon the pretence that the
opening of counsel for the prosecution was an irregularity to be established by affidavits. It is not
an irregularity, however, objectionable in form,
but the subject of objection and exception in
like manner with any other proceedings in the
trial. Upon the trial the evidence of the prisoner
tended to prove that Fisk, the deceased, came up
the stairs towards the prisoner with a pistol in his
hands, and that the prisoner with a pistol in his
hands, and that the prisoner shot Fisk in self-defence. Several witnesses were called to show that
Fisk carried a pistol, that such a pistol as he carried was pickel up on the stairway near where he
fell and was carried away.

The AFFIDAVIT OF MARY BEAN
shows that she saw Colonel Fisk come out of the
entrance door after going in, take a pistol out of his
pocket, go back into the stairway entrance, and

Stokes' Demeanor at Receiving the News of Judge Boardman's Decision-Deputy

Sheriff Stevens' Order.
A reporter of the Henald called at the Tombs yesterday afternoon to see Edward S. Stokes. Mr. Finiey, the warden, showed the reporter an order Finiey, the warden, showed the reporter an order from Mr. Joel Stevens, Deputy Sheriff, forbidding him to allow any one to see Stokes, except the relatives and the counsel of the condemned man. No reporters were, therefore, enabled to see Stokes yesterday. In the afternoon his father, his brother Horace and his cousin called upon Stokes and had a long interview with him. Good taste forbids the veil to be drawn from the privacy of this terrible scene. And yet the condemned man, the prison keepers state, has no fear of death. He is as confident as ever that he will be given a "stay" by some one of the Supreme Court Judges, and has no idea that the sentence of the law which hangs above his head will be enforced. Among those admitted to see him yesterday was Rev. Dr. Montgomery, the clergyman who married Stokes years ago. When the reverend gentleman came out from the interview he appeared to be greatly affected.

### MURDEROUS MANSING.

Man Crushes His Wife's Skull with Skillet-He Nearly Murders the Wife of

Mrs. Rose Mansing, the unfortunate woman who was beaten in such a shocking manner by her husband, Henry Mansing, at their residence, 486 Smith street, on Thursday night, was re-ported yesterday to be in a dying condi-tion. Her physicians look upon her injuries as being of a fatal character, as it has been found that her skull is badly fractured. The assault, as was stated in the HERALD of yesterday, was committed with a skillet, or small iron kettle The parties are German, and Mansing owned the house in which he resides. They have had frequent quarrels, and it is said the neighbors have fre-quently been compelled to interfere to protect Mrs. Mansing from the assaults of her husband, who has a violent temper. On Thursday Mansing was arrested and arraigned before Judge Walsh on a charge of threatening to

KILL HIS WIFE. He gave bonds in the sum of \$500 to keep the peace and was released. He then went to his work in New York, but on returning home at work in New York, but on returning home at night began to abuse his wife because she did not have his supper ready. They quarrelled for some time, when Mansing again became violent, seized her by the hair and threw her upon the floor. She regained her feet, when he knecked her down with his flat. Ectore she could escape he seized a skillet from the stove and dealt her a blow on the head with it,

head with it,

PRACTURING HER SKULL.

The unfortunate woman uttered a piercing shrick and sunk to the floor in an unconscious state. The noise of the affray and the scream of Mrs. Mansing attracted Mrs. Eliza Clark, who resides in the same house, and she hastened to Mrs. Mansing's room. As she rushed forward to protect Mrs. Mansing from further violence from the inhuman man he raised the skillet and aimed a blow at her head, she douged and received the blow on her shoulder.

BROKE HER COLLAR BONE. BROKE HER COLLAR BONE.

She screamed "Murder," and Mansing then kicked her and also his prostrate wife, after which he fied to the house of a friend in Ninth street and secreted himsoif beneath a bed in the garret. It was found that Mrs. Mansing was too severely injured to be removed to the hospital. Mrs. Clark was removed to the Long Island College Hospital, and it is said she is also in a critical condition. After one College Hospital, and it is said she is also in a critical condition. After one hour's search Officer McGowan, of the Third precinct, found Mansing beneath the bed, still grasping the skillet tightly in his hand. He was taken before Judge Walsh, who recognized him as the man who had given bonds to keep the peace. The Judge committed him to the Raymond Street Jail to await the result of his wife's injuries.

### FIRE IN CENTRE STREET. Loss About \$50,000.

A fire broke out at about four o'clock yesterday morning in the southern end of the four story brick building known as the New Haven and Harlem Railroad depot, at the corner of Centre and Franklin streets, that caused a damage of about fifty thousand dollars. The burned part of the building is the property of the New York and New Haven Rail road Company, and is damaged to the extent of about five thousand dollars; insure for \$31,250. The fire broke out on the second floor of the building, in the apartment occupied by G. L. Jaeger & Co., manufactures of cardboard for paper boxes. The loss sustained by this firm is estimated at \$20,000; insured for \$6,000 in the Metro-Companies. The firm also occupied a portion of the third floor. Part of the second floor was also occupied by J. H. Darlington, machinist. Damage to stock, \$8,000; insured for \$4,000—in the North Missouri for \$1,000, in the Arctic for \$1,000, in the Globe for \$1,000 and in the Hibernia and Cleveland for \$1,000.

Missouri for \$1,000, in the Arctic for \$1,000, in the Globe for \$1,000 and in the Hibernia and Cleveland for \$1,000.

The stock of Thomas Jones, who occupied a part of the third floor, was damaged to the extent of \$15,000; insured. The machinery and stock of John Kent, who occupied the sixth floor, was damaged to the extent of about \$9,500; insured. He is a manufacturer of sewing machines. The remainder of the same floor was occupied by William Unger, manufacturer of telegraphic instruments. Damage to stock and machinery about four thousand dollars; insured for \$3,000 in the North Missouri and Black River, it has not yet been discovered how the fire broke out, but an investigation into the matter will be held by Fire Marshal McSpedon to-day. The night watchman was in the building several times during the night on which the dre broke out, and discovered nothing that would be likely to cause a fire until the flames suddenly broke out. There was no stove in the place. It was heated by steam, and the engineer in charge says the heat was shut off every evening at six o'clock. For some time after the flames would be caught by the flames. The prisoners were very much alarmed, and Captain Kenedy, of the Sixth precinct, was obliged to double the force of police at the ire, in case any accident should take place. The wind being high, sparks were carried on the roof and into the yard of the building, and the heat was so intense that it was felt in every part of the prison fronting on Franklin street. Officer Hawky, of the Fire Marshul's office, made a preliminary examination of the premises yesterday, and notified all the persons employed about the place to appear before the Marshal this morning.

"THAT DIAMOND CROSS."

## "THAT DIAMOND CROSS."

TO THE EDITOR OF THE HERALD:-("Oofty Gooft") please inform your readers that he sut instituted by me for the recovery of a cer tain diamond cross, &c., against him was a mistake all the way through, and is now amicably adjusted and proceedings discontinued. I entirely exonerate Mr. Phillips from any and all blame in the matter, and regret that the proceedings were ever instituted. Respectfully yours, &c..

FEBRUARY 14, 1873. LOUISE SHAFFER.

MARRIAGES AND DEATHS.

Married.

SAHLER-STOUT.—On Thursday, February 13, at the residence of A. V. Stout, Esq., by the Rev. C. S. Barrower, assisted by the Rev. D. D. Sahler, HASBROUCK SAHLER to Mrs. SUSIE M. STOUT, all of

WHEELER-TAYLOR.-At the residence of the WHEELER-TAYLOR.—At the Penderson of the bride's father, Allentown, Pa., on Wednesday, February 12, 1873, by Rev. R. Owens, of the Methodis Episcopal Church, Mr. Albert G. Wheeler, of New York city, to Miss Cassie G. Taylor, daughter o William H. Taylor, of Allentown, Pa.

Died.

Benstead.—At Nyack, Rockland county, on Thursday, February 13, 1873, Eva A. Harrwick, youngest daughter of William and Allette Benstead, in the 19th year of her age.

Funeral from her lather's residence, at Nyack, on Sunday afternoon, February 18, 1873, at two o'clock. Carey.—Anne Carey, aged 49 years.

The friends of the lamily are respectfully requested to attend the funeral, from ner late residence, Sixty-fourth street, near Boulevard and Eighth avenue, on Sunday, at one o'clock.

Dublin papers please copy.

Carr.—On Thursday, February 13, Lizzie C., wife of Dr. David C. Carr.

Relatives and friends are invited to attend the funeral services, at the Reformed Collegiate church, corner of Fitth avenue and Twenty-ninth street, on Monday, 17th inst., at half-past ten o'clock A. M. The remins will be conveyed to Nyack. Trains leave via Northern New Jersey Rallroad, Twenty-hird street, 1:39 P. M.; returning, leave Nyack 5:35 P. M.

Carey.—On Friday, February 14, Ann Carey, widow of Thomas Casey, in the 78th year of her age.

The relatives and friends are invited to attend

M.: returning, leave Nyack 5:35 P. M.
CASEY,—On Friday, February 14, ANN CASEY,
widow of Thomas Casey, in the 75th year of her
age.
The relatives and friends are invited to attend
the funeral, from her late residence, 327 East Flity,
iourth street, on Sunday, at one o'clock. Her remains will be taken to Green-wood Cemetery.
CLARKE.—On Thursday, February 13, Suddenty,
Clasers C. CLARES, aged 49 years, native of Ballinaclough, parish Hillacherton, county Galway, Irc.
land.
His relatives and friends are respect-ully invited
to attend the funeral, from his late residence, 453
West Forty-louth street, on Sunday alternoon, at
one o'clock.
COX.—At his late residence, 306 West Twelfith
street, on Wednesday, February 12, Clares B.
COX. in his ofth year.
Relatives and friends of the family are respectfully invited to attend his funeral, to-day, Saturday,
at hall-past one o'clock, from the Memorial church,
corner Waverley pikod and West Loverlation of
attend the funeral, inom his late residence, 453
West Forty-louth street, on Sunday alternoon, at
one o'clock, room the Memorial church,
corner Waverley pikod and West Loverlation of
attend the funeral, inom his late residence, 453
West Forty-louth street, on Sunday alternoon, at
no o'clock, from the residence of his age.
Relatives and friends are respectfully invited to
attend the funeral, inom his late residence, 453
West Forty-louth street, on Sunday alternoon, at
one o'clock, from the residence of his soul;
thence to Calvary Cemetery for interment.
Dublin papers please cepty.
CLLERS.—On Friday morning, February 14,
Michael, Ireland, in the Tist year of his age.
Relatives and friends are respectfully invited to
attend the funeral, on Sunday alternoon, at one
o'clock, from the residence of his stepland, in the 28th year of his age.
Relatives and friends are respectfully invited to
attend the funeral, on Sunday alternoon, at one
o'clock, from the residence of his stepland, in the 28th year of his age.
Relatives and friends are respectfully invited to
attend the fu

OW SET OF PASSESS BASIS

reary 14, 1873, EDMUND KORTRIGHT, son of Alfred P. and Mary C. K. de Luze.

Notice of funeral hereafter.
DONALD.—On Friday morning, February 14, ROBBET RANDOLPH, son of Peter and Anna J. E. Donald, aged 1 year and 7 months.

Funeral, from the residence of his parents, 32
West Forty-sixth street, on Sunday, February 16,
at two P. M.

FARBELLY.—On Thursday Eabard.

at two P. M.

PARBELLY.—On Thursday, February 13, 1873, CATHERINE AGNES, the beloved daughter of Thomas P.
and Mary Anne F. Farrelly, aged 2 years, 4 months
and 24 days.

The relatives and friends of the lamily are respectfully invited to attend the funeral, on Saturday,
15th inst., at one o'clock, from 345 West Houston
street.

street.
California papers please copy.
Fish.—On Thursday, February 13, of congestion of the lungs, Daniel Fish, in the 70th year of his

of the lungs, Daniel Fish, in the 70th year of his age.

The relatives and friends of the family are respectfully invited to attend the funeral, from his late residence, 28 Pike street, on Sunday, February 16, at two o'clock P. M.

Fitzsimons.—On Friday morning, February 14, at her residence, 70 Stagg street, Brooklyn. E. D., MARY T., the beloved wife of Garrett S. Fitzsimons and daughter of James McCullum.

A solemn mass of requiem will be offered up for the repose of her soul, on Sunday morning, February 16, at half-past eleven o'clock, at St. Mary's church, corner of Leonard and Remsen streets, from whence the funeral will take place, at two o'clock P. M. The relatives and friends of the family are respectfully invited to attend.

GOLDMAN.—On Friday evening, February 14, at five o'clock, Martin GOLDMAN, in the 73d year of his age.

Goldman.—On Friday evening, February 14, at five o'clock, Martin Goldman, in the 73d year of his age.

The funeral will take place on Sunday afternoon at two o'clock, from the residence of his son-in-law, No. 4 West Forty-seventh street. The relatives, friends and members of B'er Scheba Lodge, No. 11. O. B. B., are respectfully invited to attend without further notice.

Philadelphia and Baltimore papers please copy.

Hall.—In New York, on Friday, February 14, are of years, 3 months and 15 days.

Funeral from the residence of her uncle, Edward K. Kendall, 15 West Fifty-fifth street, on Monday, February 17, at half-past ten A. M. Friends of the family are invited without further notice.

Hart.—On Friday, February 14, Elizabern, wife of Hyman E. Hart, in the 73e year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, 133 Hester street, on Sunday morning, at ten o'clock, without further notice.

Harnson.—At Sing Sing, on Friday morning, February 14, Kittie A., wife of Charles C. Harrison and daughter of Starks W. and Mathida C. Lewis.

Relatives and friends are respectfully invited to attend the funeral, from the residence of her parents, on Monday afternoon, February 14, at two o'clock. Hudson River Railroad train from Forty-second street depot at a quarter to cleven o'clock. M. Carriages will be in waiting on the arrival of the train.

Hoey,—On Friday, February 14, at her residence, 199 Meadow street, Hoboken, Mrs. Oatherman and the funeral will take place on Monday, February 17, at ten o'clock. Friends of the family are invited to attend.

Holdonow.—On Friday, February 14, Minnie Franc. Minner. L. Hunbert. —On Priday February 14, Minnie Franc. Hunbert. —On Priday February 14 Minnie Franc.

HOLDOROW.—On Friday, February 14, 1873, HENRY HOLDOROW.

Notice of funeral hereafter.

HUBBELL.—On Friday, February 14, MINNIE FRANCES HUBBELL, daughter of Lambert Hubbell, aged 4 years and 7 months.

Funeral will take place from the residence of her parents. 407 West Thirty-fourth street, on Saturday, February 15, at one o'clock.

JOHNSTON.—In Newburg, on Friday, February 14, WILLIAM JOHNSTON, aged 58 years, 6 months and 13 days.

WILLIAM JOHNSTON, aged 58 years, 6 months and 13 days.

Friends and acquaintances are respectfully invited to attend his funeral, on Monday, February 17, at two o'clock.

KALBILERSCH.—On Wednesday. February 12, MARTIN KALBILERSCH, aged 69 years and 4 days.

Funeral on Monday afternoon next, at one o'clock, from his late residence, corner Buswick avenue and Grand street, Brooklyn, E. D.

LANE.—At Boulder, Cal., on Saturday, January 18, 1873, Park Haviland, son of James A. and Henrietta Lane, aged 22 years, 8 months and 4 days.

Henrietta Lane, aged 22 years, 5 monus and days.

Lathrop,—On Friday, February 14, Richard D.

Lathrop, in the 65th year of his age.

The relatives and friends are invited to attend the funeral, at the Madison Square Presbyterian church, Monday, February 17, at eleven A. M.

Leamy,—At his residence, 225 East Seventy-ninth street, on Friday, February 14, Jerrmanh Leamy, aged 51 years.

Relatives and friends of the family are invited to attend his funeral, on Monday, 17th instant, at nine A. M., to St. Lawrence's church, East Eighty-fourth street, where a solemn high mass of requiem will be offered for the repose of his soul; thence to Calvary Cemetery.

be offered for the repose of his soul: thence to Calvary Cemetery.

MASON.—On Friday morning, February 14, George, second son of (late) Jonathan and Anna Mason, aged 15 years.

Fueral on Sunday, 16th inst., at two P. M.

MEE.—On Friday morning, February 14, after a long and painful illness, MARY ANN, daughter of Ann and the late Thomas Mee, aged 39 years, 1 month and 18 days.

Relatives and friends of the family are invited to attend the funeral, from her late residence, 340 West Fifty-minth street, on Sunday afternoon, February 16, at half-past one o'clock.

MILLS.—On Toursday, February 13, 1873, MARGA-RET, widow of James Mills, in the 45th year of her age.

age.
The relatives and friends are invited to attend the funeral services at her late residence, 328 West Fifteenth street, on Saturday, February 15, at one o'clock P. M. Mooney.—In Jersey City, on Friday, February 14,

o'clock P. M.

MOONEY.—In Jersey City, on Friday, February 14,
widow Mary Mooney, a native of the parish of
Mullinahan, county Tipperary, Ireland, in the 63d
year of her age.

The relatives and friends are respectfully invited
to attend the functal from her late residence, 207
South Second street, Jersey City, on Sunday, at
two P. M.

South Second street, Jersey City, on Sunday, at two P. M.

McKenna.—On Thursday, February 13, Andrew, eldest son of John and Marcella McKenna, aged 2 years and 10 months.

The relatives and friends of the family are respectfully invited to attend the funeral, from the residence of his parents, 412 East Nineteenth street, on Saturday, February 15, at one P. M.

McNamee.—On Thursday, February 13, 1873, Mary McNamee, a native of the county Cavan, Ireland, aged 42 years.

The Irlends and acquaintances of the family are respectfully invited to attend the uneral, from her late residence, 135 West Nineteenth street, on Sunday afternoon, at one o'clock.

Noah.—In Washington, D. C., on Friday morning, February 14, Maurice M., eldest son of the late Major M. M. and Rebecca E. Noah.

Nolan.—On Friday, February 14, Miss Mary E. Nolan., aged 21 years, 5 months and 8 days.

Relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, No. 11 Tillary street, Brooklyn, on Sunday, the 16th instant, at two o'clock.

Galveston (Texis) papers please copy.

Reardon.—On Thursday, February 13, at 5:20 P.

M., Mrs. Margarer Reardon, in the 63d year of her age.

The funeral will take place from the residence of

Galveston (Texas) papers please copy.

Rearbon.—On Thursday, February 13, at 5:20 P.

M., Mrs. Margaret Reardon, in the 63d year of her age.

The funeral will take place from the residence of her son. Edward P. Reardon, 157 East Thirty-third street, this (Saturday) afternoon, at two o'clock.

Rierbon.—On Thursday, February 13, Mary, the widow of Matthew Rierdon, aged 72 years.

The relatives and irlends are respectfully invited to attend the funeral, from St. James' church, James street, this day (Saturday), February 15, at ten o'clock, where a solemn high mass will be said for the repose of her soul; thence to Calwary Cemetery for interment at one o'clock.

Shift.—At Jersey City Heights, on Tuesday, February 11, 1873, Abraham Lincoln Shift, aged 9 years, 4 months and 11 days.

Relatives and friends of the family are invited to attend the funeral, from the residence of his parents, corner of Bergen and Communipaw avenues, on Sunday, the 16th inst., at three o'clock P. M.

Stewart.—In Jersey City, on Friday, February 14, 1873, after a short illness, Alexander B. Stewart. His 37th year of his age.

The relatives and friends and those of his fatherin-law, Thomas Negus, are respectfully invited to attend the funeral, on honday, February 17, at one o'clock, from his late residence, 170 Grand street, Jersey City.

Newburg papers please copy.

Taylor.—On Friday, February 14, Agnes, daughter of Peter and Agnes Taylor, 342 East Eleventh street, corner of First avenue.

The friends of the family are respectfully invited to attend the funeral, on Sunday, 16th inst., at one o'clock.

Vizina.—On Thursday morning, February 13, John Lewis Vizina, in the 42d year of his age.

The relatives and iriends are respectfully invited to attend the funeral, rom his late residence, 140 Sullivan st., to-day (Saturday), at one o'clock P. M.

Wells.—On Friday, February 14, Isaac Wells, aged 53 years.

His remains will be taken from his late residence.